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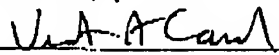
Docket No.: 1242.0024

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**Applicant:** Gallo **Confirmation No.:** 4971  
**Serial No.:** 10/046,573 **Group Art Unit:** 3739  
**Filed:** 01/14/2002 **Examiner:** Rosiland Stacie Kearney  
**Title:** ELECTROSURGICAL COAGULATING AND CUTTING INSTRUMENT

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being transmitted by facsimile to Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, Attn: Examiner Rosiland Stacie Kearney, Group Art Unit 3739, at facsimile no. 1-703-872-9306, on May 12, 2004.

  
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Date of Signature: May 12, 2004

Mail Stop Non-Fee Amendment  
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Fax No.: (703) 872-9306  
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RESPONSE TO OFFICE ACTION

Dear Sir:

This paper is filed in response to the Office Action mailed on February 12, 2004, in connection with the above-identified U.S. patent application. The three-month period for response expires on May 12, 2004. Accordingly, this response is timely filed.

Claims begin on page 2. This claim set will replace all prior versions. No amendments have been made.

Remarks begin on page 5 of this paper.